IN THE HIGH COURT OF BOMBAY AT GOA
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CIVIL REVIEW NO. 18 OF 2002 IN
CIVIL REVISION APPLICATION NO. 311 OF 2000

1. Shri Vassudev Ramchandra
Poi, major, married,
doctor, s/o late Ramchandra
Poi, and

2. Shri Vinayak Ramchandra
Poi, major, married,
businessman, s/o late
Ramchandra Poi, both
having address at H.No.109,
Butembhat, Merces, Goa. ... Petitioners.

versus

Shri Naguesh Bodke, major,
businessman, r/o House no.427,
Goulembhat, Chimbel, Ilhas,
Goa. ... Respondent.

Shri A. R. Kantak, advocate for the petitioners.

Shri V. A. Lawande, advocate for the respondent.

CORAM: P. V. KAKADE, J.

DATE: 3rd October, 2002.

ORAL JUDGMENT

Rule. Rule made returnable immediately. By consent taken up for final hearing.

2. This petition is made for review of the Order passed by this Court dated 21st June, 2002. The Order at the initial stage clarified that none appeared for the petitioners and, therefore, with the assistance of the learned counsel appearing for the respondent, the Court went through the impugned Order and the application moved. The Court also recorded that under the provisions of the Goa, Daman and Diu Mundkars (Protection From Eviction)

Act, 1975, no fault could be found with the impugned Order and, as such, the revision was dismissed with no order as to costs.

The learned counsel for the review petitioners makes submission that substantive justice is required to be made and he would be in a position to point out that the order is not correct. However, in my considered view, the Order is sufficient to show that the learned Single Judge has applied his mind properly to the provisions of the said Act and also has perused and appreciated the lower court's order and has come to the conclusion that no fault could be found with the impugned Order.

In view of this situation, I do not see any reason as to why the review petition under the relevant provision should be entertained at all.

3. In the result, the petition stands dismissed with no order as to costs.

P. V. KAKADE, J.

mc.